

United States District Court
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

FEDEX SUPPLY CHAIN LOGISTICS & §
ELECTRONICS, INC. §

v. §

JAMES E. GOODMAN, JR., et al. §

CIVIL ACTION NO. 3:23-CV-2397-S

ORDER


This Order addresses the following motions: Defendant Prosperity Bank’s Rule 12(b)(6) Motion for Partial Dismissal of Plaintiff’s Third Amended Complaint [ECF No. 161]; Defendants Shalom Auerbach, Neil Auerbach, Hudson Clean Energy Enterprises, LLC, Judith Auerbach, Auerbach Children’s Dynasty Trust, Auerbach Family Dynasty Trust, Alliance Texas Holdings, LLC, 18920 NW 11th, LLC, Steven Zakharyayev, and Evelina Pinkhasova’s Motion to Dismiss Plaintiff’s Third Amended Complaint [ECF No. 165]; Defendants James E. Goodman, Jr., Jake Goodman, Goodman Investment Holdings, LLC, and Unified Field Services, Inc.’s Motion to Dismiss [ECF No. 168]; Defendants James Frinzi, The Frinzi Family Trust, and Multiband Global Resources, LLC’s Motion to Dismiss Third Amended Complaint [ECF No. 171]; and Defendants Jody Goodman, Jonathan Goodman, and John Goodman’s Motion to Dismiss Third Amended Complaint [ECF No. 173] (collectively, “Motions”).

Having reviewed and considered the Motions, Defendants’ briefs in support of the Motions [ECF Nos. 162, 170, & 172], Plaintiff FedEx Supply Chain Logistics & Electronics, Inc.’s Omnibus Response in Opposition to Motions to Dismiss and Incorporated Memorandum of Law [ECF No. 174], Defendants’ replies in support of the Motions [ECF Nos. 175, 181, 182, & 183], and the applicable law, the Court **DENIES** the Motions.

Applying the facial plausibility jurisprudence of *Bell Atlantic Corp v. Twombly*, 550 U.S. 544 (2007), and *Ashcroft v. Iqbal*, 556 U.S. 662 (2009), and accepting all well-pleaded facts as true, and viewing them in the light most favorable to Plaintiff, the Court concludes that Plaintiff's Third Amended Complaint pleads sufficient facts to state a claim to relief that is plausible on its face. Therefore, the Court therefore **DENIES** the Motions.

SO ORDERED.

SIGNED April 17, 2025.



KAREN GREN SCHOLER
UNITED STATES DISTRICT JUDGE